

1 LATONIA SMITH  
 2 9748 CANYON LANDING AVE  
 3 LAS VEGAS, NV 89166  
 4 725-203-2455  
 5 PLAINTIFF IN PROPER PERSON

6  
 7 UNITED STATES DISTRICT COURT  
 8 BY:  
 9 DISTRICT OF NEVADA

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COUNSEL/PARTIES OF RECORD	
AUG 29 2019	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
DEPUTY	

10 LATONIA SMITH,

11 Plaintiff(s),

12 -vs-

13 CAESARS ENTERTAINMENT  
 14 CORPORATION, a Delaware corporation;  
 15 PHWLV, LLC d/b/a PLANET HOLLYWOOD  
 16 RESORT AND CASINO, a Nevada limited  
 17 liability company; SHANNON PIERCE;

18 ETHAN THOMAS,

19 Defendant(s).

20 CASE NO. 2:19-cv-00856-DJA

21 **REPLY TO DEFENDANT SHANNON PIERCE'S OPPOSITION TO PLAINTIFF'S**  
 22 **MOTION FOR SANCTIONS; MOTION TO STRIKE IRRELEVANT ARGUMENTS AND**  
 23 **EVIDENCE AND/OR SEAL THEM**

24 Plaintiff moves to strike **Exhibits A-D as they have nothing to do with Plaintiff's**  
 25 **Motion for Sanctions, which is based on defense's May 28, 2019 filing of Plaintiff's**  
 26 **medical records in Federal Court.** Defense is only attempting to inappropriately pack the  
 27 record with one-sided evidence by attaching it onto motions that have nothing to do with  
 28 the exhibits he attaches. **Defense's baseless assertion that the Plaintiff filed her medical**  
**records publicly herself is equally vexatious and malicious, and Plaintiff requests that**  
**the court strike his baseless assertion and any references to this assertion from the**

record. The court may grant a motion to strike where it injects irrelevant or immaterial evidence/arguments into any pleading. **Defense's** attitude also highlights why sanctions are warranted in this case. Mr. Alex Fugazzi (being vexatious as he has been from the start of this litigation) attaches a few pages from a deposition where a lying, unethical being and the leader of his firm (both of whom are actively avoiding service) purports statements that are outright falsities. As relayed by Mrs. Peruzar, subjects were deposed because they were actively engaged in attorney misconduct (due to Mormon relationships which reigned superior). The very fact that each statement this being gives begins with "believes" is not surprising, as he would have been perjuring himself otherwise. Ms. Smith has never had any such conversations with this being and has never conversated with any attorneys concerning Mrs. **Peruzar or Mrs. Peruzar's case** for any reasons. **Ms. Pierce's affidavit doesn't fall too far from the tree and it is as** believable as the U.S. debt being \$0. Nevertheless, since the attached evidence and related arguments have nothing to do with the motion for sanctions before the court, Plaintiff will not address it further. The challenged statements and evidence are irrelevant, and improper, and should be stricken. In the alternative, however, they should *at minimum* be sealed to further protect Ms. Smith who has been continually maligned by those working with defendants spewing malicious accusations that are speculative and not based in any fact or reality.

**Plaintiff's motion for sanctions actually deals with defense's public filing of Plaintiff's medical records on May 28, 2019. Defense filed Plaintiff's records publicly, on purpose, even after knowing that such records were to remain confidential and under seal since May 3, 2019. Nevada Rules Governing Sealing and Redacting Records (3)(2) governed the confidentiality of these records and the records were further sealed fully (Per Mrs. Peruzar the motion was fully granted, not granted in part as Mr. Fugazzi misrepresents to this Court). Mr. Fugazzi's actions, publicly refiling the records (whether**

directly or indirectly) **containing Plaintiff's personal information** and then further asserting that the court take judicial notice of such records amongst other contentious documents, were done with actual malice. Fugazzi then filed the records again as a part of his frivolous emergency motion in an attempt to support his new, desperate, and erroneous argument that Ms. Smith is crazy and should not be allowed to depose his clients. His actions clearly show a blatant disregard for the rules, a lack of ethical behavior, attorney misconduct, and the fact that he is deeply (and unhealthily) emotionally involved and unhinged in this action. This court has the inherent power to sanction Mr. Fugazzi and his firm for their unethical and vexatious actions, and such **sanctions are warranted in this case to quell Mr. Fugazzi's unhinged behavior** (including up to removing Mr. Fugazzi from this case).

Pierce and her firm were also admonished by the Nevada Courts for irrelevantly **filing Plaintiff's medical records** in the public domain on purpose and with malicious intent, so Mr. Fugazzi was also under fair notice and still presented a pleading, in bad faith, containing the records for the improper purpose to harass Ms. Smith (**rule 11**). What is evident is that Mr. Fugazzi did not deny that he knew the records were confidential and under seal when he filed them publicly and *continued* to use the records in filings, and defense refused to address his actions that are at issue in **Plaintiff's** motion for terminating sanctions. In fact, **defense's own opposition** (further precluding irrelevant exhibits and arguments) illustrates why sanctions are warranted. Defense is intricately involved with his client and was aware that he could not file/use **Plaintiff's medical records**. Even after filing the records, instead of correcting the actions, defense filed the records *again* and the surrounding purposes for which **defense filed the records again clearly show that defense's only intention is to** inappropriately harass Ms. Smith; there is no doubt.

1 For the foregoing reasons, **and specifically Mr. Fugazzi's non-denial** of the  
2 wrongdoing and the clear fact that defense did commit the wrongdoing, Ms. Smith  
3 requests that this Court use its inherent power to grant appropriate sanctions against  
4 Mr. Fugazzi (including up to removing Mr. Fugazzi from this case).

5 Dated this 29th day of August 2019

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8  
9 /s/ Latonia Smith  
10 LATONIA SMITH  
11 9748 CANYON LANDING  
12 AVE.  
13 LAS VEGAS, NV 89166  
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1 CERTIFICATE OF SERVICE  
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3 I certify that I am serving a true and correct copy of the attached REPLY TO OPPOSITION FOR SANCTIONS on the  
4 parties set forth below by:

5 \_\_\_\_\_ placing an original or true copy thereof in a sealed envelope with the correct prepaid postage affixed for  
6 \_\_\_\_\_ collection and mailing in the United States Mail at Las Vegas, Nevada.

7 X Certified Mail, Return Receipt Requested of the document(s) listed above to the person(s) at the address(es)  
8 set forth below

9 \_\_\_\_\_ E-service

10 \_\_\_\_\_ Personal delivery through a process server of the document(s) listed above to the person(s) at the address(es)  
11 set forth below

12 Riley Clayton

13 HALL JAFFE & CLAYTON, LLP

14 7425 Peak Drive

15 Las Vegas, NV 89128

16 702-316-4111

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18 Alex Fugazzi and Michael Paretti

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24 [mparetti@swlaw.com](mailto:mparetti@swlaw.com)

25 /s/ Letonia Smith

26 Plaintiff, In Proper Person

27 Dated this 29th day of August 2019

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